

United States Courts  
Southern District of Texas  
FILED

AUG 9 2018

A091 (Rev. 8/01) Criminal Complaint

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS

David J. Bradley, Clerk of Court

UNITED STATES OF AMERICA

V.

Arnulfo Horacio GARCIA

## CRIMINAL COMPLAINT

Case Number: 2:18mj 3091

I, the undersigned complainant state that the following is true and correct to the best of my knowledge and belief. On or about August 8, 2018 in Brooks County, in the Southern District of Texas defendant, **Arnulfo Horacio GARCIA**

did knowingly or in a reckless disregard of the fact that an alien had come to, entered, or remained in the United States in violation of law, transport, or move or attempt to transport or move such alien within the United States by means of transportation or otherwise, in furtherance of such violation of law

in violation of Title 8 United States Code, Section(s) 1324.  
I further state that I am a(n) Border Patrol Agent and that this complaint is based on the following facts:  
Official Title

See Attached Affidavit of U.S. Border Patrol Agent

Marc Weston

Continued on the attached sheet and made a part of this complaint:

☒ Yes ☐ No

Submitted by reliable electronic means, sworn to, signature attested telephonically per Fed.R.Crim.P.4.1, and probable cause found on the:

August 9, 2018

Date

B. Janice Ellington U.S. Magistrate Judge

Name and Title of Judicial Officer

Signature of Complainant

Marc Weston

Printed Name of Complainant

at

Corpus Christi, Texas

City and State

Signature of Judicial Officer

### **AFFIDAVIT**

The information contained in this report/affidavit is based upon my personal participation in the investigation, which included, but is not limited to information relayed to me by other agents and officers participating in the investigation.

#### **Probable Cause/Facts:**

On August 8, 2018, at approximately 2:30 p.m., Border Patrol Agent (BPA) M. Robles was called to assist the Brooks County Sheriff's Office after a deputy conducted a traffic stop and suspected the passengers in the vehicle of being illegally present in the United States. The vehicle, a silver Chevrolet Camaro, was stopped near Travis Street and Business 281 in Falfurrias, Texas for failure to drive in a single lane.

When BPA Robles arrived at the location, the deputy had the driver, identified as Arnulfo Horacio GARCIA, and four passengers, later identified as Suliana Maribel CONTRERAS-Rosales, Erich De La ROSA-Escobar, Ines Efrain CANJURA-Martinez, and N.R.C.A. (2002) detained. BPA Robles questioned the four passengers as to their citizenship and all subjects admitted to being illegally present in the United States. At this point, all subjects were placed under arrest and transported to the Falfurrias, Texas Border Patrol station for further processing.

#### **Miranda Rights:**

Once at the station, all subjects were read their Miranda rights in their preferred languages.

Garcia stated he understood his rights, but was unwilling to answer questions without a lawyer present.

All of the smuggled aliens stated they understood their rights and all subjects were willing to provide statements without the presence of an attorney.

NOTE: Arnulfo Horacio GARCIA has one prior apprehension for alien smuggling. In this prior event that occurred on August 26, 2015, GARCIA was the driver of a GMC Yukon containing three illegal aliens stopped by Jim Wells County. GARCIA was questioned at the time of his arrest in August of 2015 and GARCIA stated he was going to be paid \$2500 to take the three aliens to Houston, Texas and admitted to smuggling aliens in the past.

#### **Smuggled Alien Statements:**

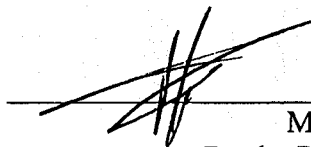
N.R.C.A. (2002) stated after crossing into the United States illegally, he was taken to multiple stash houses and was eventually taken and dropped off as part of a group of approximately 10 subjects that were to walk around the checkpoint through the brush. N.R.C.A. (2002) stated he became separated from his original group and ended up finding the subjects that he was eventually arrested with. N.R.C.A. (2002) stated after about four or five days of walking through the brush, the guide told them that a Camaro was going to pick them up. N.R.C.A. (2002) stated after a while a Camaro arrived, the guide returned to the brush, and the group got inside the vehicle. N.R.C.A. (2002) stated he was the last one to get into the vehicle and due to the rear seats being occupied, the driver told N.R.C.A. (2002) to ride in the passenger seat of the vehicle.

Suliana Maribel CONTRERAS-Rosales, Erich De La ROSA-Escobar, and Ines Efrain CANJURA-Martinez all provided similar statements. These subjects stated after crossing into the United States illegally, they were eventually taken to the same stash house. After some time, a vehicle arrived and picked up the three of them and a guide. The subjects stated they were taken to an unknown location and dropped off to walk through the brush around the checkpoint. The subjects stated after walking for about four or five days, they came to the side of a road where the guide told them to wait for a vehicle that would pull over close to their location and pick them up. The subjects stated a vehicle eventually approached and they all got inside the vehicle. The guide returned to the brush and did not enter the vehicle with the subjects.

When questioned regarding how the group knew which vehicle was going to pick them up, Suliana Maribel CONTRERAS-Rosales stated once the vehicle was in sight, the guide told the group that that was the vehicle and to run and get in. CONTRERAS-Rosales also stated the vehicle initially passed their location, but then turned around and came back. CONTRERAS-Rosales stated she sat in the middle rear seat and was able to see the driver of the vehicle that picked them up through the rear view mirror. CONTRERAS-Rosales Identified Arnulfo GARCIA as the driver of this vehicle.

**Disposition:**

The facts of this case were presented to Assistant United States Attorney Mark Patterson who accepted Arnulfo Horacio GARCIA for prosecution of 8 USC 1324, Alien Smuggling. Suliana Maribel CONTRERAS-Rosales and Erich De La ROSA-Escobar were held as material witnesses in this case. Ines Efrain CANJURA-Martinez will be charged with a violation of 8 USC 1326, Illegal Re-entry. N.R.C.A. (2002) was not held as a material witness.

  
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Marc Weston  
Border Patrol Agent

Submitted by reliable electronic means, sworn to,  
signature attested telephonically per Fed.R.Crim.P.4.1,  
and probable cause found on the August 9<sup>th</sup>, 2018.

  
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B. Janice Ellington  
United States Magistrate Judge